

**HUDSON RARITAN RESTORATION**  
**LIBERTY STATE PARK**  
**PUBLIC SCOPING MEETING - OCTOBER 16, 2002**

The following comments were received at the October 16, 2002 Public Scoping Meeting for the United States Army Corps of Engineers (USACE) restoration plans for Liberty State Park (LSP). The comments have been categorized and summarized.

**COORDINATION WITH LSP STAFF AND NJDEP**

1. USACE should continue to coordinate with Liberty State Park staff and NJDEP to ensure that all efforts comply with the Park's master plan.<sup>1,9</sup>

**PUBLIC ACCESS**

1. Access to the restored areas should have trails, boardwalks and interpretive displays.<sup>1,11</sup>
2. The proposed walkway should be confined to the current space between the current fence line and roadside, which is almost uniformly 37 feet, to protect the endangered species (northern harriers). The areas where the northern harriers are nesting should definitely not be accessible to the public. With all due respect, this is not a request but a duty. On the dredge spoil site, where you want to implement salt marsh restoration, anything that could possibly displace the harriers should not be done.<sup>5</sup>
3. Walkways and viewing areas must not interfere with nesting and protection of young.<sup>10</sup>
4. It is possible to construct walkways that avoid sensitive areas.<sup>a</sup>
5. Although access is important, all access will impact the species here, so we have to plan accordingly.<sup>7</sup>
6. Fencing off a portion of the park may be a danger to wildlife that will not be able to travel in and out of the fence (i.e. rabbits).<sup>10</sup>

7. There should be an entrance and exit at the north side of the park. We should build a roadway from the north area, bring in a rail behind the restaurant and take it out again.<sup>12</sup>
8. The marina should be filled, under State law the Governor and the commissioner have the power to terminate the marina on 30 days notice.<sup>12,13</sup>
9. A walkway and bridge should be built in the north part of the park to have access in and out at the north end.<sup>12</sup>
10. The canal should only be used for rowboats.<sup>12</sup>

#### PERIMETER/RECREATIONAL PORTION OF THE PARK

1. It is important to complete the restoration of the perimeter upland portions of the park to allow for recreation. There is a need for both local and statewide active recreation forums. Let's continue the dialogue to ensure that all departments are involved so that the recreational areas work within the overall plan.<sup>2</sup>
2. There are 3 appropriate places in the park for a dog show field, ball fields, and bocce courts. The interior of the park should be a natural center.<sup>9</sup>
3. Constructing a swimming pool or anything to block the view of the industrial area will block views of the skyline from the harbor. It's a two-way street.<sup>10</sup>
4. Any sports to be developed should be on the outside of the perimeter as far as possible so as not to disturb wildlife during nesting, resting or migration.<sup>10</sup>

#### RESTORATION DESIGNS

1. The Liberty State Park Science Center prefers the complete through-going channel to introduce a richer variety of habitat and bio-diversity.<sup>3,9</sup>
2. The through-channel would provide a focal point that is possibly lacking now for the trail network within the interior 251 acres.<sup>3</sup>

3. If the project is adopted with one outlet and that outlet faces the downstream direction of the Hudson it will fill and require maintenance, whereas a through-channel will have a natural flushing.<sup>3</sup>
4. How successful in the past have you been in converting upland habitats to wetland habitats? I know you have lots of success with wetland restoration, but it is mostly reintroducing spartina and other desirable species to phragmite-dominated marshes.<sup>5,a</sup>
5. We need substantially more information on this restoration system, including what habitats will be the most crucial before implementation of these restoration designs. The restoration plans are generic and we need more specifics, especially with regard to species performance (I have concerns about the northern harrier, and also aquatic communities).<sup>7</sup>
6. There is concern that bringing saltwater inland may lead to the contamination of the many fresh water ponds in the upland areas. There is such little fresh water for the wildlife during their migrations and during their nesting. Saltwater intrusion would destroy crucial freshwater habitats that already exist in the park. Any plans made for the inland site should be kept specifically for the wildlife.<sup>10,15</sup>
7. We need more information on scale and hierarchy of channel size for any wetlands considered here. It may or may not be possible to look at a greater length of smaller channels as well. Integration and relationship of freshwater inflows and the salt-water marsh are crucial mixing processes. System hierarchy will lend itself to phasing.<sup>7</sup>
8. These projects typically happen in very short time frames. However, phasing a restoration project over time reduces the amount of disturbance and is especially crucial to a single generation of species. A large-scale modification in a single event is worthy of reconsideration.<sup>7</sup>
9. There should be bold action, and we should not cut corners.<sup>11</sup>
10. Concentrating totally on wetland extension into the interior is a bad decision. This was a former landfill; wetland creation would leach materials out.<sup>14</sup>

11. The middle of the park should be a habitat for wildlife and people. It should rise up around 30 feet, because the shoreline is the concentration of the view of NY. A stepped-up upland ecology with good viewing areas would be an additional concentration of human activity, and would also support wildlife.<sup>14</sup>
12. Is there a system that will ensure that there is no saltwater intrusion into freshwater wetlands?<sup>a</sup>
13. The uplands have returned to a forest ecosystem that relies on fresh, not saltwater. How will the bringing in of saltwater affect the underground freshwater streams? You can not bring water into a forest that is primarily funded by freshwater.<sup>a</sup>
14. If salt marshes are created, will there be places for harriers to nest?<sup>a</sup>

#### COMMUNITY PARTICIPATION

1. Phasing the project will also allow for community participation as well as job training and involvement on the site if we spread the dollars out over time. This type of project would be more adaptable as it is implemented because observations could be made throughout the process.<sup>7</sup>
2. The long-term effort must include the involvement of local citizens and school kids in planting and monitoring. As Leslie Sauer says in her book Once and Future Forest, involving local citizens in the planting, monitoring and celebration of the work leads to local empowerment and knowledge. A world-class restoration calls for a world-class interpretive facility. We should not spend all of the money on the habitat, we need high-quality visitor experience that is properly interpreted with high-class educational materials.<sup>8</sup>

#### DREDGE SPOIL AREA

1. If remediation in a dredge spoil site must be performed, therefore making it necessary to restore the habitat, it should be grassland and not salt marsh. There is already a great deal of salt marsh preserved in the state, mostly the southern area of the state, LSP already has a private salt marsh. Grassland is more cost-effective. Grasslands are easier to install than salt marshes and you do not have to worry about digging channels and building bridges over the channels. God forbid they ever flooded the road. The success of salt marsh restoration is questionable.

Grassland habitat has more threatened & endangered species (TES) in NJ than any other habitat. Nine TES species in NJ require grassland habitat. Harriers, I admit, use salt marsh as nesting sites, but there is no guarantee they will be able to use this one. Therefore, the site should be left alone or converted to a grassland for remediation. Salt marsh is too risky. The only thing these birds need besides protection is minimal annual maintenance. Preventing fields from fully succeeding as a forest and cutting trees down.<sup>5</sup>

2. Removal of the dredged material prior to salt marsh creation is a concern.<sup>10</sup>

## HABITAT

1. The Phragmites on the site has been described as a nuisance species on one of the Army Corps panels. Although it is not native to America, it is useful to wildlife. Over 30 species of birds nest in it or use it as nesting material. If habitat diversity is important we should not totally eliminate the Phragmites.<sup>5</sup>
2. We have lost a significant amount of acreage over the past 10 years. The green park replaced approximately 100 acres of natural habitat. It is crucial that the last-remaining natural acreage in this park be retained for non-human inhabitants. Over 200 species of birds depend on this urban refuge for some point in the year as a refueling station, a wintering site or a foraging area. The site is especially important for birds of prey throughout the year. Year-round residents include the State-endangered peregrine falcon, the State-endangered northern harrier and red-tailed hawks, and others.<sup>5</sup>
3. It is important to remember that bird wintering areas are equally important as nesting areas. Wintering species include State-threatened coopers hawks, an occasional Maryland rough-legged hawk, Snowy owls, State-endangered short-eared owls, State-threatened long-eared owls, and others.<sup>5</sup>
4. The 251 acres must provide high quality habitat for wildlife; mowed lawns are not acceptable. The following habitat goals should be met:
  - 10 acres of Wet Thickets
  - 1 acre of Moss Mat
  - 18 acres of Freshwater Wetlands

- 9 acres of Marsh Meadow
  - 14 acres of Park Enhancement
  - 80 acres of Soil Stockpile
  - 28 acres of Native Grasslands<sup>8</sup>
5. Removal of vegetation and trees should be minimized. Smaller trees should not be totally removed from the site because without small trees the forest dies.<sup>10</sup>
  6. We should consider the possibility of bringing back wildlife that we have lost (i.e. pigeon hawks and pheasants).<sup>10</sup>
  7. LSP is a natural flyway for over 230 species of birds, and this should remain a priority.<sup>12</sup>

#### NORTHERN HARRIERS

1. In the spring/summer of 2001 a nesting pair of northern harriers were discovered in the rectangular area in Liberty State Park where the Army Corps would like to implement salt marsh restoration. The Harriers successfully fledged two young. The information was accepted by the NJ Fish & Wildlife Service and put into the State's database. This year, harriers were found nesting in the park. A male paired up with a young female. Although the nesting attempt failed, it is the second attempt in two successive years. These birds warrant protection, and because they are on the Endangered species list, protection is mandatory.<sup>5</sup>
2. I want to ensure that the Harriers are given sufficient space and comfort so that the park can continue to be a nest site for these magnificent birds. An important foraging area that needs to be protected in connection with the dredged site is the grassy field that runs along Cobblestone Drive and fencing should be up for the birds' safety.<sup>5</sup>
3. It is important to take into account to protect northern harriers, and any plan should include the terms of acreage requirements and type of preferred habitat so that these birds can continue to be part of the natural landscape.<sup>6,11</sup>

## OTHER COMMENTS

1. Focus on getting additional funding for the park from companies responsible for Chromium toxicity (i.e. Allied Single and PBG), and companies that profited from the contamination by using the Chromium (i.e. GM and GE).<sup>12</sup>
2. We should have a public meeting to discuss the discontinuation of the contract with the Liberty State Park Development Corporation (who have not responded to the NJDEP's claim that financial irregularities were discovered).<sup>13</sup>
3. The alternative plans should be posted on the Internet so that people can evaluate them.<sup>15</sup>
4. Until the scoping meeting, the people were not asked if they believed that habitat restoration was necessary in LSP. The USACE has not showed any evidence that the restoration is necessary at all.<sup>a</sup>
5. Will there be a bridge open between LSP and Ellis Island?<sup>a</sup>
6. Have you looked at the siltation and stagnation of Morris Island?<sup>a</sup>

## SPEAKERS

- <sup>1</sup> – Desiree Ramos, on behalf of Congressman Menendez
- <sup>2</sup> – Maryann Bucci-Carter - City of Jersey City – Division of City Planning
- <sup>3</sup> – Emlyn Koster, Phd. - President of Liberty Science Center
- <sup>4</sup> – Connie Clayman – Liberty Science Center
- <sup>5</sup> – Michael Britt – Liberty Science Center
- <sup>6</sup> – Wayne Greenstone
- <sup>7</sup> – Leslie Sauer – Audubon Society and Restoration Practitioner
- <sup>8</sup> – Eric Styles – NJ Audubon Society
- <sup>9</sup> – Sam Pesin – President of Friends of Liberty State Park
- <sup>10</sup> – Catherine Grimm – LSP Conservancy
- <sup>11</sup> – Greg Remorig -President of LSP Conservancy \*\* Check on spelling of name
- <sup>12</sup> – Gregory Giordano – Friends of LSP
- <sup>13</sup> – Howard Moskovitz
- <sup>14</sup> – Joe Chesonis - Urban Systems Concept Group
- <sup>15</sup> – Bill Armbruster
- <sup>a</sup> – The question was brought up during the question and answer period following the speakers.

# Liberty State Park Public Scoping Meeting

Sponsored by  
U.S. Army Corps of Engineers-New York District  
October 16, 2002

7:00-7:45pm Sign In and Informal Discussion of Program  
(Those wishing to speak are asked to complete an ID card. Nineteen (19) people chose to speak)

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7:45pm Welcome to Liberty State Park by Frank Gallagher, Administrator, Division of  
Parks and Forestry, NJ Department of Environmental Protection

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Presentation of the Scoping Process and Proposed Project – Joseph Redican, Project  
Planner, U.S. Army Corps of Engineers



1<sup>st</sup> Speaker – Desiree Ramos from the Office of Congressman Robert Menendez

Thank you for the opportunity to be here today and share Congressman Menendez's views on the Liberty State Park portion of the Hudson-Raritan Estuary Ecosystem Restoration Study.

Mr. Menendez has worked diligently to make the Hudson-Raritan Estuary Ecosystem Restoration Study possible. As the senior New Jersey member of the House Committee on Transportation, Mr. Menendez shepherded the Study through the authorization process. Since that time, he has taken the lead among the New Jersey delegation to garner full funding of the Study. Although Congress has not yet completed funding for Corps programs, both the House and Senate demonstrated their commitment to this Study by providing funding above the President's request.

Mr. Menendez commends the Corps, New Jersey DEP – including the Liberty State Park employees, and the Port Authority for their hard work in coming up with the preliminary conceptual plan. The Congressman understands that you tried to come up with a plan that enhances and restores habitat in the most cost-effective manner possible while balancing the need for public green space. He also wanted me to encourage you to move forward with plans to improve public access to the enhanced habitat areas through the use of trails, boardwalks and interpretive displays. Finally, as a member of the Liberty State Park interdisciplinary planning committee, the Congressman was instrumental in developing the Park's Master Plan and urges The Corps to continue to coordinate with Liberty State Park staff and NJDEP and to ensure that all efforts comply with the Park's Master Plan.

Mr. Menendez will continue to seek full funding for the Study and use his position on the Transportation Committee to garner construction funding in the next Water Resources Development Act.

2<sup>nd</sup> Speaker – Maryann Bucci-Carter - City of Jersey City – Division of City Planning

I have no prepared speech today, but we can support habitation restoration in the park. There are many things proposed but what stands out most and what we all can agree upon is that we want to see the park completed—we want the environment restored and the recreation areas completed. This park is a very special place for everyone—including its immediate neighbors, Jersey City. The residents count on it. Portions of the park came from the city. We look to The State, The Army Corps and the Port Authority to come together to make all the pieces fall into place.

Right now we focus on habitat restoration, but I want to bring out one thing insofar as the Scoping meeting: we don't want to ignore the perimeter portions of the park and not bring that to completion. Still undone. Keep that in our sights. Upland recreation. Let's not preclude.

There are no longer people pushing for commercial recreation but there is a need for both local & statewide active recreation forums. Let's continue the dialogue. This is the first and let's be sure all departments are involved so that it works within the overall plan.

3<sup>rd</sup> Speaker - Emlyn Koster, Phd. - President of Liberty Science Center

I'd like to speak in three professional capacities: my PhD. Is in geology. I studied rivers and estuaries for my doctoral thesis and I stand also as a public educator devoted to the public awareness of science and technology sort of with a social and environmental stance and I am the President of the LSC since 1996, and have been an active member of the Park Planning Committee standing strongly, along with my colleagues, for holistic planning of the park—that is not piecemeal planning of the park --- and trying to look forward to the day that projects like this would happen.

For the Science Center, and me personally in those capacities, the plan is urgently needed because the park is approaching its 30<sup>th</sup> anniversary in 2006. There has been a lot of patience in this community, long before I came, waiting for the park to realize its completion according to the mission of the park and in accordance with the park planning study. I think the Hudson, which is one of the mighty rivers of the country and one of its

estuaries, almost completely lacks any remaining shoreline. We don't appreciate the tides in the river because it's always against vertical walls. By reintroducing habitat of this nature, and its given shallow shorelines, you will be able to appreciate the 7.2 foot tidal range from its spring tides to its knee tides and appreciate the tidal form that happens in those environments and the flowing of the tidewater itself.

I would make a comment that the Science Center under my stewardship and me personally from that professional angle as geologist would much prefer to see the complete through-going channel to introduce a richer variety of habitat and bio-diversity and provide a focal point which is possibly lacking now for the trail network within the interior 251 acres. It would give it a focal point for people to walk down across the interior woodlands w/all of its rich bird resources and able to approach the edge of this channel from the exterior or interior side. And to appreciate the rich bird habitat that would be recreated. After all, this was inter-tidal land until the early 1800's and we are bringing back that which was there.

I would also comment that if the project is adopted with one outlet it will require more maintenance if it faces the downstream direction of the Hudson. It will fill and require maintenance, whereas if there is a thru channel it will have a natural flushing. That is my professional opinion. But I defer to the model of the US Army Corps of Engineers.

So I would be anxious to see this project happen and be a catalyst. As the city has said and as Congressman Menendez has said, I believe, for this to be a catalyst to the onward completion of the planning, to draw attention and be able to accelerate the vision of the park.

#### 4<sup>th</sup> Speaker – Connie Clayman - Liberty Science Center

I am here as the VP of Finance & Facilities for the Center. I've been here for 12 years. As well as a member of the LSP planning and I want to say we very much support one of these two estuary plans. As part of expansion on what LSC is doing, we are having a large exhibit called "Our Hudson Home" which is physically about the Hudson River estuary and being able to have walkways that come down to an estuary. The walkways will show all of the inner-city children that we have nature in the most populated county in the country and will give them an opportunity to see something they

now can't. Even though they are living on the Hudson River but have no estuary to go down to see.

So I think it will be a wonderful addition to the educational mission of the LSC and a perfect fit with what our new exhibit area will be.

5<sup>th</sup> Speaker – Michael Britt - Liberty Science Center

I also work at the Science Center but all my views tonight are as an individual. I don't necessarily reflect the Science Center as an institution.

First thing I want to comment on is that I've heard a few people call the park incomplete. This park is definitely not incomplete. Also on one of the Army Corps panels Phragmites is described as a nuisance species. It is not native to North America – is European – but does have some wildlife uses. Over 30 species of birds nest in it or use it as nesting material.

The problem with Phragmites is that it crowds out other species and becomes a monolith. Habitat diversity is important but we should not totally eliminate Phragmites.

I am a member of the NJ Audubon Society. I've been coming to LSP for 10 years to observe birds, and over that period we have lost a significant amount of acreage here. The green park replaced approx. 100 acres of natural habitat. We can still not access the only sandy beach in Jersey City that is adjacent to that heavy metal dust. That said it's crucial that the last-remaining natural acreage in this park be retained for non-human inhabitants. Over 200 species of birds at some point in the year depend on this urban refuge for resting, refueling station, a wintering site or a foraging area. The 251 acres is especially important for birds of prey throughout the year. The year-round residents include American kestrel which is a small falcon, the state-endangered peregrine falcon, red-tailed hawks, and the state-endangered northern harrier which I will focus primarily on. Wintering species include State-threatened coopers hawks, an occasional Maryland rough-legged hawk, State-endangered short-eared owls, state-threatened long-eared owls, etc.

Now it is very important to remember that wintering areas are as equally important as nesting areas like the north woods in Canada. Snowy owls migrate almost

1200 miles and spend the winter in places like Liberty State Park. They cannot survive the winters if they cannot return to their breeding grounds.

If anyone in the audience wonders what these birds feed upon, it is the many rodents and pheasants that reside here. An important note moving on: as far as breeding is concerned, northern harriers are a State-endangered species. The bulk occupy the salt marshes of the outer coastal plains of the Delaware bay shore. In contrast, there are relatively few pairs in Northern New Jersey, so this fact – coupled with state law – makes protection of this site beyond mandatory.

You might not know which site I'm talking about yet, but in the spring/summer of 2001 I discovered a nesting pair of fenced off northern harriers in the rectangular area there where the Army Corps would like to implement salt marsh restoration. The harriers successfully fledged two young and I sent the information to the Record of NJ birds and the NJ Fish & Wildlife Service. The record was accepted and put into the State's data base and I rec'd a letter of confirmation.

This year the results were not as successful, but still somewhat positive. What do I mean by not as successful? Probably because the male paired up with a young female and sometimes young females do not lay viable eggs.

Other possible sources of nesting failure include ground predators such as raccoons, possums and feral cats that thrive in the park. For comparison, 28 of the 34 pairs of bald eagles that were nesting in NJ had successful incubation of young this year. That shows that 100% of nesting attempts are not successful.

In any event, this is the 2<sup>nd</sup> successive year that harriers nested in the park. Failed or successful, harriers are an endangered species and warrant protection. What I want to ensure is that the harriers are given sufficient space and comfort so the park can continue to be a nest site for these magnificent birds. An important foraging area that needs to be protected in connection with the dredged site is the grassy field that runs along Cobblestone Drive and fencing should be up for the birds' safety.

I am fully aware there needs to be a walkway that connects the rest of Jersey City with the Science Center and park. However, the proposed walkway should be confined to the current space between the current fence line and roadside (which is almost uniformly 37 feet). I have gone down there and measured along the road. I realize that most of the

wooded areas will be open to the public, but these two areas should definitely not be accessible. The Army Corps of Engineers, with all due respect-- this is not a request but a duty. Looking at this map and the dredge-spoiled site where you want to implement the salt marsh restoration, anything that could possibly displace the harriers should not be done.

I'll bring up a question that I'll restate later: how successful in the past have you been in converting upland habitats to wetland habitats? I know you have lots of success with wetland restoration but it is mostly reintroducing spartina and other desirable species to Phragmites-dominated marshes. But how successful at converting uplands to wetlands?

Also, if remediation in a dredge-spoiled site must be performed therefore making it necessary to restore the habitat, it should be a grasslands and not a salt marsh. The reason being there is already a great deal of salt marsh preserved in the state, mostly the southern area of the state, LSP already has a private salt marsh. Grassland is more cost-effective. It is easier to install and you don't have to worry about digging channels and building bridges over the channels. God forbid they ever flooded the road. The success of such a conversion is questionable. Grassland habitat has more threatened & endangered species in NJ than any other habitat. I have the list and I have the species highlighted. There are nine. Harriers, I admit, use salt marsh as nesting sites. But there is no guarantee they will or be able to use this one. Therefore, the site should be left alone or converted to grassland for remediation. Salt marsh is too risky. The only thing these birds need besides protection is minimal annual maintenance, for example, preventing fields from fully succeeding as a forest and cutting trees down.

Just because harriers are not as well-known as Bald Eagles does not mean they don't deserve the same protection by the law, not to mention that special accommodations have made a species like the Osprey. People build platforms in salt marsh areas and they build their nest on the platform. And also ( ) packing for Harriers & Falcons. Special accommodations were made for those species and the same should be done for the northern harriers.

6<sup>th</sup> Speaker – Wayne Greenstone

I'm from Cranston, N.J. and Director of the New Jersey Audubon Society, and am not here speaking on behalf of The Audubon Society.

I have a special affection for this park and have been coming here for 30 years to observe the wildlife that still exists here and the beauty of the park. The park has become a refuge and haven for people from all over the world—this city, people from many countries who visit here. It is a very special legacy and, hopefully, the Army Corps will get a flavor from you at this meeting and in the future. This park has to be preserved as an open and free space for both the people, for the history, the culture and the environment.

This marsh was an incredible estuary before millions of people came thru Ellis Island and the goal of trying to restore it and the wildlife that everyone can enjoy is significant. The northern harriers that the previous people talked about protecting are very special. If any of you have not had the opportunity to see the birds that winter here, perhaps you can come back in the spring to enjoy the beauty of these birds.

In terms of what the corps has proposed, it is important to take into account to protect these species and that any plan include the terms of acreage and type of habitat so that these birds can continue to be part of the natural landscape and for everyone to enjoy. It only takes one to mess things up but it takes us all with shared and common vision to preserve the values we hold dearly. I hope that this responsibility and charge you have will be fulfilled thru the participation of the citizens here, and the park will be a place both for nature and the people who come here.

7<sup>th</sup> Speaker – Ms. Leslie Sauer – Andropogen Associates

I've been a restoration practitioner for 33 years and am here now with the Audubon Society and want to make a few comments based on my previous experience.

We need substantially more information than we have now on this restoration system, including what habitats will be most crucial. I find that the restoration plans are generic and we need more specifics, especially with regard to species performance. I would reiterate concerns about the northern harrier, but also am concerned about the aquatic communities, stages, performance criteria and the relationship between that and the ongoing monitoring.

I would also suggest that, given the nature of this park, we are not just looking at wetlands restoration but the entire park. Access and how we view the wetlands, but all

access will impact the species here. Therefore, we have to plan in concert. More info on scale and hierarchy of channel size for any wetlands considered here should be collected. It may or may not be possible to look at a greater length of smaller channels as well. Integration and relationship of freshwater inflows and the saltwater marsh is crucial mixing. System hierarchy will lend itself to phasing.

I think my biggest concern is the way these projects happen in general. The timeframe over which things are supposed to happen is very short. I realize you have certain contractual limitations but I think the phasing over time reduces the amount of disturbance and is especially crucial to a single generation of species and a large scale modification at a single swoop is worthy of reconsideration.

Another important rationale for phasing is to move away from a short-term fix it/maintain it mentality and allow for community participation as well as job training and involvement on the site if we spread the dollars out over time. I'm looking for a process that is more adaptable as we move along and observe what is going on.

8<sup>th</sup> Speaker - Eric Stiles - NJ Audubon Society - Conservation

I want to celebrate the fact that bad ideas lead to good visions and that is the people here tonight galvanized by a process to defeat other peoples' ideas of commercial interest that do not belong in this world-class park.

We should remember the birthing process and local cities and champions of LSP as we have a conversation that represents the broader interests of Jersey City and LSC, and we are pleased with this administration. And, we are no longer speaking to a brick wall. Congressman Menendez and his terrific support—again I want to celebrate this multi-tier approach. Dr. Koster's quote: "a vision with no funding is an hallucination." I want to thank the Army Corp of Engineers, and the Port Authority. We have some terrific partners in this effort. I want to throw out the idea that if Gov. Whitman can spend \$300M on casinos on Barrier Islands and on Atlantic City casinos that we can spend the money here for our national heritage.

I want to reiterate that the 251 acres must provide high quality habitat for wildlife and plants. Mowed lawns are not acceptable. The following habitat laws should be sufficient for wildlife and associated recreation. Goals should be met: wet thickets 10 acres, 1



acre – moss mat, fresh water wetlands 18 acres, marsh meadow 9 acres, park enhancement 14 acres, soil stock pile 800 acres and native grasslands 28 acres.

A common vision that was celebrated by many people in this room is what I reiterate is our target. The layout of the habitat should be done to maximize the quality of the habitat wildlife and the experience of the recreational users. The existing inter-disciplinary planning committee overseen by the Dept. of Environmental Protection of which NJ Audubon is a member should continue to direct the planning process with the Army Corps of Engineers. We feel strongly that the DEP that has really spearheaded this to hire expert restoration ecologists and landscape restoration architects to draft plans and provide critical guidance. The restoration effort and long-term effort must include the involvement of local citizens and school kids in planting and monitoring. As Leslie Sauer says in her book (Once & Future Forest), you must involve local citizens in the planting, monitoring and celebration of the work. There must be local empowerment and knowledge.

A world-class restoration calls for a world-class interpretive facility. We should not spend all of the money on the habitat. This is our national park. We need high quality visitor experience that is properly interpreted with high-class educational materials.

9<sup>TH</sup> Speaker - Mike Anderson - NJ Audubon Society

I don't represent the New Jersey Audubon Society tonight. I don't come here tonight as a representative.

Being in the education department, it means a great deal to me that my grandparents came thru Ellis Island. It is important to preserve native habitat and go through restoration process. I would like to thank Mike and others who talk about all the good reasons to do this project.

10<sup>th</sup> Speaker - Sam Pesin - President of Friends of Liberty State Park

I'd like to thank the folks who are here—Congressman Menendez' Desiree Ramos on behalf of The Congressman who has gotten millions of dollars to get this feasibility study started and he will be a crucial person for the future of this interior. And

the DEP has been so great and supportive with going forward. Assistant Commissioner Mark N( ) with his tremendous expertise and dedication, John ( ), and from the DEP, Frank Gallagher who has been the chair of this inter-disciplinary planning. In addition, Bahonee who has tremendous knowledge and commitment to LSP, from Trenton (Paul Siegler) Steve Ellis who is fantastic super at LSP. Representing the friends of LSP with its over 700 members.

I speak as a member of the planning committee and the son of the father of the park whose vision in 1957 was of people and nature. His spirit is here tonight along with the spirit of the very much alive Audrey, who has been the greatest champion of nature in this park. This is a historic meeting because this plan in its infancy. 190 acres of the natural area and the 60-acre open space perimeter will be an international model of urban nature restoration.

It is exciting to be involved at this early stage and in this democratic process of guiding the 251-acre public piece of land behind the Statue of Liberty and in this densely populated region and the park being on the Atlantic flyway. We have a rare opportunity to do something really special for the people of today and future generations.

We are fully supportive of this general management Plan to which Frank Gallagher referred. There is consensus. We had a 2-year process and going back many years based upon what people said at public meetings since 1976.

We had two major public hearings and the public supported the plan. The committee is made up of constituents, conservancy, city, Audubon, and others. I am also thanking those here representing Mayor Cunningham. The Mayor has been represented and has been supportive and knows very well the meaning of LSP. I do want to point out the President of Liberty Park Conservancy standing in back. My mentor as far as the interior and other aspects of the park and is a great advocate for this estuary.

The essence of the general management, as a lay person, sounds great as well as the acreage suggestions Eric Stiles talked about. The forest is for people's enjoyment and education. I grew up in Jersey City with no real experience of nature beyond raking leaves and setting them on fire. To have a trail through the forest and the meadows will affect children for the rest of their lives.

I agree with Dr. Koster's idea that a channel should emit from the river thru the interior and enrich the diversity and then channel back out to the Hudson. Salt marsh seems to be a spectacular opportunity to recreating the way it was hundreds of years ago. I would hope that the Army Corps and DEP work closely with NJ Audubon who have been in the forefront of fighting for the park for northern harriers and other endangered species and have been working on observation points & trails and other aspects of this plan. No—Liberty State Park is not as sacred as the Gettysburg battlefield but it is sacred land – rare, open urban space across from lower Manhattan, and people have been inspired.

The park has tremendous spiritual value and we owe it to the people who fought for this park from the beginning and all who use it and future generations to come up with a visionary and inspiring plan. This center of the park has great potential, and with our partners (including The Army Corps of Engineers, the public and elected officials) staying involved to give our views as the plan moves forward. Regarding recreation, Miriam mentioned three appropriate places in the park for dog show fields, ball fields and bocce courts. The interior should be natural center. The park should also include a cultural center to make this an all-round great park.

11<sup>th</sup> Speaker – Michel Cuillerier - VP of Friends of LSP (Sierra Club)

Finally a public hearing w/no protest! Cumulative effort. I want to acknowledge the people who have participated. Every one of you plus I welcome the Army Corps of Engineers & other players. This is an important, delicate project. You people are the reasons it happened. Write in your comments-- don't be shy. This is the result of all of our efforts. Acknowledge yourselves. The 2<sup>nd</sup> concept is too uncertain. We have to stay as natural as we can within the park.

12<sup>th</sup> Speaker – Michael Stringer – LSP Conservancy

It's good to see this project gaining momentum on the Jersey side of the Harbor. I'd like to express my support for this project and the goals of maintaining the diversity with minimum disturbance.

13<sup>th</sup> Speaker - Kathleen McLean - NJ Audubon

I'm a member. Thank Eric Stiles. LSP is a jewel that should be developed properly and not become a golf course.

14<sup>th</sup> Speaker - Catherine Grimm - LSP Conservancy

Tonight I am representing myself. Many of you know I've been coming to this park since before it was even a park. I have seen spectacular wildlife pictures that you'd never expect. I like the idea of the wetlands restoration but it concerns me that the area where the dredged material from the river has been dumped—they will have to come in there and dig everything out. They never should have put it there in the first place. Now they are talking about another area where they would put a swimming pool and other things to block view of industrial area but when you come in it blocks view of skyline from Harbor. It's a two-way street.

I am concerned geologically that with bringing water inland, there are so many fresh water ponds in the uplands that mostly – that bringing salt water in whether it will underground contaminate fresh water ponds—and destroy habitats we already have.

Whether this has been considered or looked into, I do not know. But it should be by the Corps of Engineers. There is so little fresh water for the wildlife during their migrations, during their nesting that any plans made for the inland site should be kept specifically for the wildlife. Any sports to be developed should be on the outside of the perimeter as far as possible so as not to disturb wildlife during nesting, resting or migration and just leave it developed naturally. We have to watch what they will do—how much vegetation removed, how many trees destroyed because they said something about the big trees but w/out little trees the forest dies.

We also have to look at bringing back wildlife because, since the development of the park started, the pigeon hawk has disappeared and the pheasants have decreased. They fenced off the whole interior wildlife area. The rabbits in there were locked in. Rabbits outside were locked out. Rabbits have to go back and forth in order to maintain their own life. The pheasant, the cormorant, the monarch butterflies—we are on the migration route for the monarch butterflies coming down the East Coast.

Years ago, I walked into a field at the railroad yard and it became alive with the flowers – the butterflies were resting on this field of eight-foot sunflowers and to walk in there and have hundreds of butterflies around you. I know what it felt like when the scientists walked into the valley and found where the monarchs go.

These are things children should be able to see. In the development, we have to protect wildlife and vegetation and keep serene for wildlife. So, any walkways and viewing areas must not interfere with nesting and protecting the young.

Mainly I'm concerned about the feed water infecting the fresh water and destroying the uplands.

15<sup>th</sup> Speaker – Greg Remorig -President of LSP Conservancy

I am glad not to need my formal comment. I will ramble a bit—a while back the press said people were fighting and that the press didn't want to talk with you/them.

But, people will be thanking you for generations to come. What Sam & Audrey are doing and when we have rational discourse and good plans and not the crap the development organization kept pushing down our throats, then we will have conversation where everyone will contribute the wealth of knowledge and understanding. And that's what happened. It's phenomenal! Yes, there are slight disagreements and differing ideas about what could happen with the flow of water and other things, but we are discussing it and there has not been anything heated. We are working with agencies and sometimes we butted heads with and sometimes we didn't and the Corps has been fantastic—Joel Redican, Bob and ...it's a new day. It's not surprising us—we worked hard for it but it happened quickly and the right plan and right people came together.

I have 3 main points about the interior. One thing that was left out was that this project came at two levels: people at the grass roots led by Frank Gallagher and inter-disciplinary planning committee led by Frank Gallagher but at the same time the Corps, Habitat Estuary program and Mark, before he came over was Chair of the Habitat Work Group, very productive. So, we had ideas and people on a larger level to implement, and it's all coming together. One thing we should do is to think boldly –as Dr. Koster says over and over again: noting should skimped. Don't cut corners. We have to look at cost benefit alternatives; but most importantly, that this is a grand park that combines natural

attributes with social & human attributes. Judging from the support of Congressman Menendez who was there back in the quiet days—bring me a good plan—I will champion it – Desiree has done a phenomenal job.

Quick points: The general management plan came out of years of people coming down here. It is flexible but has a plain point and I don't want to lose that. It has room, flexibility and I want to be sure that it came out of strong work by the city and the interdisciplinary committee. The other thing is – and I know it puts stress on the staff and you don't always have control over it – about what the Assistant Commissioner said about three/two years ago: we are going to drive that and provide you with clear information and vision. We will push you to move quickly and do things you haven't done before. Be responsive to local partners and ask for whatever it takes to move it along; even if we need to talk to Congress it has to move or we may lose it.

Be sure that the harrier has buffer sufficient to be sure not disturbed.

Also, it is important that we have trails that are aligned correctly. It should be done right but I am a strong advocate that the public gets to enjoy the park.

From the point of interpretation, there is a wonderful interpretive program here at LSP. Gina, Lorie, Diane—they take folks to beach on southern part of the park and will make sure that nature interpretation is part of the center park as well.

16<sup>th</sup> Speaker - Gregory Giordano – Friends of LSP

I'm a member of the *Friends of Liberty State Park*. The park is fundamentally a park for all people, and a golf course would have violated basic principal of social justice. It would have given a great deal to a few. The natural habitat is important. You cannot separate social justice from the environmental issue. The basic philosophy is that this is for the people as well as for nature. You have a natural fly-a-way for over 230 species of birds and we are only a couple miles from New York City so this should maintain a priority.

The other aspect is that the park was developed without a foundation—meaning they addressed the park first insofar as building and haphazardly focused on toxicity. They

built without a foundation to continue in this vein. By focusing on toxicity you focus on three major players responsible for it: Allied Single, PBG and ( ). Chromium history goes back to 1887 by Lawrence Wells. He was a sector of industry—back to Scotland and Germany – over 100 years. Now why the EPA has not been able to focus on this and make these major players responsible for this is a small mystery. However, we still need money to build this park and the idea of focusing on the Corps of Engineers-this is taxpayers' money. This money should be coming from major players and the international corporations that also profited from this by getting rid of chromium as they did throughout Hudson County made their product cheaper to those who were using it like GM and GE.

The development corporation should reach out to all the corps for funding for this park. Now, regarding the aspect of the building of the park, there is one thing we are not focusing on. There has to be an exit and entrance from North side of park. It is built on a peninsula. We have access from the West with access and ingress. The marina should not be there. Your Army Corps can be doing this. We can do. Fill in the marina and build a walkway and bridge in the north part of the park to have access in and out at the north end.

The marina, if you look at it—check the base and go into the soil you will see the silky quality that is a harbinger for disease. I liken it to a Chinese village, with the problem of spilling toxins with body waste is like what you will have going into that marina. If you have any remnants of a canal, all it should have is rowboats. It is important that we build a roadway from the north area, bring in a rail behind that restaurant and take it out again. At the same time, you have a walkway. Focus on the aspect of the park for all people. We have in the southeast corner a memorial to the holocaust and that has always been a focal point—a sign of the park at the memorial is for the fact that occurred because of arrogance, greed and quest for power. The same indifference has been developing the park and we must avoid this.

17<sup>th</sup> Speaker - Howard Moskowitz

There is a whole generation of people responsible for this park who cannot be here today. What we have been hearing from certain agencies is what we have been fighting for over a quarter of a century. I prevented the Department of EP from spreading 40 acres of blankety-blank dredge soil with 6" of dirt to be put above it. I looked at the assistant NJ

attorney general and asked "Ma'am would you allow your child to play under those conditions?" That is why those dredge spoils were never spread, but why they haven't been removed in over 20 years is another...

Among the 10 agencies involved in the 2- year process, only two agencies supported the plan we put forth. The NJ DEP and the Army Corps of Engineers. It is so refreshing to hear such a different perspective as tonight. I won't name the other agencies, but you can see their comments and their opposition. It's very good there is an inter-governmental process going on here. I would like to commend Mr. Ramon; this could be a new day for LSP, it depends on us and on the officials in government. I'd like to also say this park is owned by the State of New Jersey. There are many actions the State can take, but it should not have waited these 25 years. I'd like to say that the gentleman representing the project manager for the Army Corps should urge that individual be assigned specifically and a staff be assigned because the number of issues concerning the LSP is lengthy.

There has been passing reference to the LP Development Corp. In the spring the Dept of EP announced that it had found significant financial irregularities and the Development Corp spent their time fighting these last 2.5 years to have our questions answered. Nothing happened. Why can't we have a public meeting as to the continuation of the contract, which can be terminated by the St. of NJ with the Lib St Park Dev which is by far and away the entity that has prevented the incredible promise this park held. It was people like us, not the bureaucrats who had it officially founded in 1976. The time has come for an end to the Liberty St. Park Development Corp. It is now five months since the June deadline that the Commissioner gave, to his credit, for the corporation to respond and we have not heard anything. But, there is much more than the financial irregularities. I won't go into detail here. Let us hold a public meeting with the NJ Dept of EP. I just want to respond, as I've been taking notes tonight:

What scientists of all type refer to as the most important ecological feature of LPS and NY Harbor is Haven Point Cove, which has been a designated natural area – it was the #3 designated natural area for 25 years. A 1/2 mile sand beach.

There is no access unless you know the secret. It is not on the map of LSP. Ten years of fighting to prevent its desecration, and it is cleaned 2 times per year. The Haven Point Pier that is part of LSP and by a minority vote – split – 4-3 whether to include the pier as part of the designated natural area. It has been allowed to deteriorate. I don't know if it



can be saved. (*"It's gone?" he asked. "As of when?"*) The pier has been torn down in the last six months. The pier goes to the middle of the Harbor—it is a spiritual experience. But the DEP has allowed it to be a terrible situation.

I see there is a Jersey Central Railroad Heritage Festival later this month. Half of the National & State historic sites have been allowed to deteriorate. A year and a half ago the consultants hired by the DEP made recommendations as to what could be done. We realized the finances are not available now for any of those 3 alternatives—at a minimum a cover can be placed over that historic shed to prevent its further deterioration. Twenty-five years ago the track and shed area was in better shape before the State of NJ took it over.

I'm just going to mention other issues to the Assistant Commissioner – under State law the commission and Governor have power to terminate the despicable marina on 30 days notice. I'll be happy to point to the statue that sets that forth.

18<sup>th</sup> Speaker– Joe Chesonis - Urban Systems Concept Group

I live in No. Bergen. Lets talk about wildlife habitat and allowing all wildlife to have three propagations. I would like to discuss a problem I have with LSP and I've been working with Sam for many years along with the other groups. Instead of the middle of the park—the park has to be a habitat for wildlife and people. I've talked to Sam many times about the middle of park, that it has to rise up around 30 feet. Because all of the concentration – the shoreline is concentration of the view of NY but back farther the concentration of all this human activity is on the water edge. What I'm saying is to develop a stepped up uplands ecology as well as a wetlands ecology. It is extremely important in the inland area mounted 30' high with types of vegetation and good viewing areas, it gives concentration of human activity as well as wildlife that could be there also.

Concentrating totally on wetland extension into the interior is a bad decision. This was a former landfill. It is sort of another landfill from dredged material. Get out of that mentality and talk bout uplands for people, different vegetation and wildlife. Rather than wetlands migration because this was an old landfill -- so you are leaching materials out of many years. Go into a different eco system that was in this area long ago that everyone destroyed. But developing this 30' hi eco system could be beautiful w/elevation rather than migrating wetlands in a soggy former landfill. Also, I would like to say we wish to

have your cooperation with another idea—a nice idea —which is called 2 Rivers Meadow Bay—organizing the Hackensack & Passaic tidal areas and the Newark Bay as one entity. Development pressures are on there to build and we have to have something to say about it.

19<sup>th</sup> Speaker - Bill Armbruster

Dr. Koster's concept regarding ingress and egress, and lady in back preserving freshwater habitat and being mindful of possible contamination and, finally, I suggest that the different alternative plans be on a website so that people can evaluate them.

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